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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
on January 8, 2004

Date of Deposit

Timothy P. Lucier

Name of applicant, assignee or
Registered Representative

T. P. Lucier
Signature

1/8/2004

Date of Signature

Case No. 7948/15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

L. Biedermann et al.

Serial No.: 10/660,453

Attention: Manager,
Application Branch

Filed: September 11, 2003

For: SPACE KEEPER FOR
VERTEBRAE OR
INTERVERTEBRAL
DISKS

PRIORITY CLAIM TO FOREIGN APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 322313-1450

Dear Sir:

Per MPEP 201.13, the above referenced application claims priority under the Paris Convention for Protection of Industrial Property to German application 102 42 331.8, filed in Germany on September 12, 2002. Applicant has enclosed a copy of a signed declaration that also claims priority to the foreign application; however, applicant is awaiting a Notice to File Missing Parts in this application and will file the declaration again with the Notice.

Respectfully submitted,



Timothy P. Lucier
Registration No. 44,882
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-7732



TRANSMITTAL LETTER			Case No. 7948/15
Serial No. 10/660,453	Filing Date September 11, 2003	Examiner Unknown	Group Art Unit Unknown
Inventor(s) L. Biedermann et al.			
Title of Invention Space Keeper For Vertebral Disks			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate); Priority Claim To Foreign Application.

- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- Applicant claims small entity status. See 37 CFR 1.27.
- Petition for a _____ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

					Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=	
					Total add'l fee	\$	Total add'l fee	\$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$_____ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Timothy P. Lucier
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Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Leone

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Date: 1/8/2004

Signature: T.P. Lucier